

Amendment No. 1 to SB2177

Yager  
Signature of Sponsor

**AMEND Senate Bill No. 2177\***

**House Bill No. 2284**

By deleting all language following the caption and substituting instead the following language:

WHEREAS, Congress has acknowledged that state governments have the authority to recognize Indian tribes; and

WHEREAS, Recognition by the state of Tennessee of bona fide Indian tribes would provide members of such tribes an opportunity to increase tourism in this state through the exploration of Native American cultures; and

WHEREAS, A grant of state recognition allows members of recognized tribes to apply for certain federal government grants and benefits, scholarships for Native American students, and to market goods they produce as being labeled as made by Native Americans; and

WHEREAS, Two tribes have previously been recognized by the state of Tennessee as Native American organizations and one has a Master Roll, dated March 21, 1857; and

WHEREAS, State recognition would not incur any cost to state or local governments; and

WHEREAS, The official recognition of the identity of many Native Americans would not only benefit the state but would also provide affirmation and satisfaction to Native Americans who have struggled to preserve tribal traditions and languages; now, therefore,  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

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**AMEND Senate Bill No. 2177\***

**House Bill No. 2284**

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding Sections 2 through 8 of this act as a new, appropriately designated chapter.

SECTION 2. In accordance with the provisions and limitations of this act, the general assembly extends state recognition with full legal rights and protections to certain Native American Indian-descended entities that have functioned in specific ways over time.

SECTION 3. A Native American Indian tribe, band, or group is a population of people related to one another by blood through their Native American Indian ancestry and tracing their heritage to a Native American Indian tribe, band, or group indigenous to Tennessee.

SECTION 4. In order to receive state recognition:

(1) The tribe, band, or group must be indigenous to Tennessee and have been identified on a substantially continuous basis as Native American Indians throughout the history of their group;

(2) A majority of the tribe, band, or group must inhabit a particular geographic area in Tennessee or live in a community in Tennessee viewed as Native American Indian and distinct from all other populations in the geographic area;

(3) A majority of the tribe, band, or group must consist of individuals who have established verifiable documented lineage from an Indian tribe that has historically lived in Tennessee;

(4) The tribe, band, or group must have maintained tribal political or other authority over its members, or must be able to demonstrate existence as a continuous, distinct cultural entity capable of self-regulation, throughout the tribe, band or group's history until the present; and

(5) The membership of the tribe, band, or group must be composed of a majority of persons who are not members of another North American federal or state recognized tribe.

SECTION 5. The general assembly recognizes that six (6) tribes, bands or groups have met the provisions of Section 4 for state recognition. For purposes of state Native American Indian recognition with full legal rights and protections, the general assembly recognizes the following tribes, bands and groups:

- (1) Remnant Yuchi Nation;
- (2) Tanasi Council;
- (3) United Eastern Lenape Nation of Winfeld;
- (4) Chikamaka Band;
- (5) Central Band of Cherokee; and
- (6) Cherokee Wolf Clan.

SECTION 6. Membership rolls of a state recognized Native American Indian tribe, band or group shall be available for inspection by the general assembly but shall not otherwise be made available for publication without the written permission of the leadership of the tribe, band or group.

SECTION 7. Members of a state recognized Native American Indian tribe, band or group under this act shall have no right to receive notice of, nor right to make a claim for, nor authority to exercise any dominion or control over, human remains and burial objects discovered during any operation conducted within the state of Tennessee unless such human remains and burial objects are found on property owned by such Native American Indian tribe, band or group.

SECTION 8. The provisions of this act shall not be construed or implemented in any manner to circumvent, erode, or otherwise diminish the constitutional prohibition against casinos within the state of Tennessee. State recognition of any tribe, band, or group pursuant to this act

does not, either directly or indirectly, confer in any manner upon the tribe, band, or group authority to establish or operate a casino on any land located within Tennessee.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.